

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE RESIDENTIAL CAPITAL, LLC, *et al.*,

Debtors.

Case No. 12-12020 (MG)
Chapter 11
Jointly Administered

Objection Date: May 21, 2019 @ 4:00 pm. (ET)
Hearing Date: May 28, 2019 @ 11:00 am. (ET)

NOTICE OF MOTION OF THE *ROTHSTEIN* PLAINTIFFS (CLAIM NOS. 4074 AND 3966) TO AUTHORIZE DISTRIBUTION OF THE NET SETTLEMENT FUND TO ELIGIBLE CLASS MEMBERS

PLEASE TAKE NOTICE that, on May 3, 2019, claimants Landon Rothstein, Jennifer Davidson, Robert Davidson, and Ihor Kobryn (collectively, the “Named Plaintiffs” or the “*Rothstein* Plaintiffs”) (Claim Nos. 4074 and 3966), on behalf of themselves and the certified Class, filed the unopposed motion pursuant to Fed. R. Bankr. P. 7023 and 9019 for an order: (i) authorizing: (i) the distribution of the Net Settlement Fund established by the Settlement of this action to eligible Class Members in accordance with the Plan of Allocation; (ii) the Settlement Administrator to reallocate to authorized Class Members, if economically feasible, any residual funds remaining in the Net Settlement Fund (whether by reason of tax refunds, uncashed checks, or otherwise) six (6) months after the initial distribution, and thereafter to permit Class Counsel to donate, subject to Court approval, any remaining balance to a non-sectarian, not-for-profit, 501(c)(3) organization serving the public interest; (iii) the payment of Administration Costs to the court-appointed Settlement Administrator and Plaintiffs’ Forensic Accounting Expert; (iv) the destruction by the Settlement Administrator of any records in paper form relating to the Settlement one year after final distribution of the Net Settlement Fund, and records in electronic

form relating to the Settlement three years after final distribution of the Net Settlement Fund; and
(v) finally and forever barring further claims against the Settlement Fund.

PLEASE TAKE FURTHER NOTICE that a hearing to consider the relief requested in the Motion shall be held before the Honorable Martin Glenn, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York Courtroom 501, One Bowling Green, New York, New York 10004 (the “Bankruptcy Court”) on May 28, 2019 at 11:00 am. (prevailing Eastern time), or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that any objection to the relief requested in the Motion to be considered at the Hearing must be in writing, conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York and shall be filed with the Bankruptcy Court electronically in accordance with General Order M-399 (General Order M-399 and the User’s manual for the Electronic Case Filing System can be found at www.nysb.uscourts.gov, the official website for the Bankruptcy Court) by registered users of the Bankruptcy Court’s case filing system, and by all other parties in-interest, on a 3.5 inch disk or CD-ROM, preferably in Portable Document Format, WordPerfect or any other Windows-based word processing format (with a hard copy delivered directly to Chambers) and served in accordance with General Order M-399 and in accordance with this Court’s order, dated May 23, 2012, implementing certain notice and case management procedures [Docket No. 141], so as to be received no later than May 21, 2019 at 4:00 pm. (prevailing Eastern Time) (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that if no objection to the relief requested in the Motion is timely filed and served, the Bankruptcy Court may enter an order granting the final

relief requested in the Motion without further notice or opportunity to be heard afforded to any party.

Dated: May 3, 2019
New York, NY

Respectfully submitted,
KIRBY McINERNEY LLP

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